

FILED

BEFORE THE BOARD OF OIL, GAS AND MINING

APR 03 2013

DEPARTMENT OF NATURAL RESOURCES

SECRETARY, BOARD OF
OIL, GAS & MINING

STATE OF UTAH

IN THE MATTER OF THE REQUEST)
FOR AGENCY ACTION OF)
NEWFIELD PRODUCTION COMPANY)
FOR AN ORDER POOLING ALL)
INTERESTS IN FIVE DRILLING)
UNITS ESTABLISHED BY THE)
BOARD'S ORDERS ENTERED IN)
CAUSES NOS. 131-51, 139-8, AND 139-)
90 IN SECTION 7, TOWNSHIP 3)
SOUTH, RANGE 1 WEST, SECTION)
27, TOWNSHIP 3 SOUTH, RANGE 2)
WEST, AND SECTIONS 17, 20, AND 29,)
TOWNSHIP 3 SOUTH, RANGE 3)
WEST, U.S.M., DUCHESNE COUNTY,)
UTAH)

**MOTION FOR ORDER
DESIGNATING HEARING
EXAMINER AND SETTING
HEARING**


**Docket No. 2013-014
Cause No. 139-104**

NEWFIELD PRODUCTION COMPANY ("Newfield"), by and through its undersigned attorneys and pursuant to Rules R641-105-300 and R641-113-100 of the Utah Administrative Code, hereby moves the Board of Oil, Gas and Mining (the "**Board**") for an order designating a hearing examiner in this Cause for the purposes of taking evidence and recommending findings of fact and conclusions of law to the Board and setting May 15, 2013, at 1:30 p.m., or as soon thereafter as possible, as the scheduled date and time for such hearing examiner to conduct a public hearing to receive evidence regarding Newfield's Request for Agency Action in this Cause (the "**Request**"). In the interest of judicial economy and efficiency, the evidence regarding the issues raised by the Request should be heard by a hearing examiner in accordance with Rule R641-113-100. In keeping with the Board's past practices, Newfield proposes that John C. Rogers, Associate Director, Oil and Gas, of the Division of Oil, Gas and Mining be designated as the

hearing examiner in this Cause. A proposed form of Order Designating Hearing Examiner and Setting Hearing is attached hereto.

Respectfully submitted this 3rd day of April, 2013.

VAN COTT, BAGLEY, CORNWALL & McCARTHY

By 
Thomas W. Clawson
Attorneys for Petitioner
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Salt Lake City, Utah 84111
Telephone: (801) 532-3333

CERTIFICATE OF MAILING

I hereby certify that on this 3rd day of April, 2013, I caused a true and correct copy of the foregoing Motion For Order Designating Hearing Examiner And Setting Hearing to be served via U.S. Mail, properly addressed with postage prepaid, upon each of the persons or parties listed in the Certificate of Mailing attached to the Request for Agency Action being filed concurrently herewith.



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ORDER DESIGNATING HEARING
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The Board of Oil, Gas and Mining (the “**Board**”) having fully considered Newfield Production Company’s (the “**Petitioner**”) Motion for Order Designating Hearing Examiner (the “**Motion**”) and the grounds and reasons provided therefore, and good cause appearing, hereby enters its Order granting the Motion as follows:

1. John C. Rogers, Associate Director, Oil and Gas, of the Division of Oil, Gas and Mining shall be designated as the hearing examiner in this Cause for the purposes of taking evidence and recommending findings of fact and conclusions of law to the Board.
2. The public evidentiary hearing on Petitioner’s Request for Agency Action shall be scheduled to be held on May 15, 2013, at 1:30 p.m., or as soon thereafter as possible, in Room 112, Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

ISSUED this ____ day of April, 2013.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

James T. Jensen, Chairman